

(33)

CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH :
AT HYDERABAD.

O.A.No.1454 of 1995.

Date of Order - 1.9.1997.

Between.

1. T.Narasinga Rao
 2. K.S. Om Prakash
 3. M.Sudershan Rao
 4. Y.A. Reddy
 5. Khader Khan
- ... Applicants.

And

- 1.Divisional Railway Manager(Personnel)
South Central Railway, Sanchalan Bhavan,
B.G. Division, Secunderabad.
 - 2.Chief Commercial Manager,
South Central Railway,
Rail Nilayam,
Secunderabad.
 - 3.Chief Personnel Officer,
South Central Railway,
Rail Nilayam,
Secunderabad.
 - 4.General Manager,
South Central Railway,
Rail Nilayam,
Secunderabad.
- Respondents.

Counsel for the Applicants - Mr. G.V.Subba Rao

Counsel for the Respondents- Mr. V. Bhimanna, ACGSC.

Coram :

The Hon'ble Mr. R. Rangarajan, Member (Admn.)

The Hon'ble Mr.B.S.Jai Parameshwar, Member(Judl.)

ORDER (ORAL)

(As per Hon. Mr. R. Rangarajan, Member (Admn.))

1. Heard Mr. G.V.Subba Rao for the applicant
and Mr. V. Bhimanna for the respondents.
2. This O.A.is filed praying for a direction to the
respondents to revise the seniority of the Commercial sta
in the category of Senior Supervisors/Senior Commercial
Inspectors in the scale of pay of Rs.1600-2660/- as per

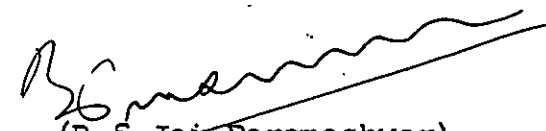
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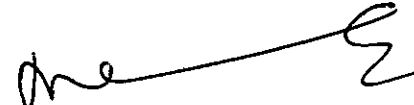
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the principle laid down by the Hon'ble Supreme Court of India in Veerpal Singh Chouhan vs. Union of India (1995(5) SCALE 648 dated 10.10.95) and issue of a fresh notice on the basis of the revised seniority fixing the date for selection to the post of Chief Commercial Supervisor / Inspector in the scale of pay of Rs.2000-3200/- by declaring the notice dated 8.11.95 as arbitrary, illegal and unconstitutional as also violative of Articles 14 and 16 of the Constitution of India.

3. The learned counsel for the applicants has submitted a letter dated 29.8.97 praying to withdraw this O.A. as the cases of the applicants herein are also likely to be considered for promotion due to increase in number of vacancies. The learned counsel for the applicant further submitted that in case their seniority is not properly fixed, then they may file a fresh O.A. against the seniority fixation order.

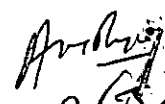
4. In view of the above submission, this O.A. is disposed of as withdrawn; but if they are aggrieved by the seniority fixed by the respondents, they are at liberty to take such remedial measures as are available ^{to them} under law. No costs.


(B.S. Jai Parameshwar)
Member (Judl.)
1.9.97


(R. Rangarajan)
Member (Admn.)

Dated the 1st September, 1997.

Dictated in the Open Court.


D. R. Choudhary

DJ/

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..3..

Copy to:

1. Divisional Railway Manager, (Personnel),
South Central Railway, Sanchalan Bhavan, B.G. Division,
Secunderabad.
2. Chief Commercial Manager, South Central Railway,
Railnilayam, Secunderabad.
3. Chief Personnel Officer, South Central Railway,
Railnilayam, Secunderabad.
4. General Manager, South Central Railway,
Railnilayam, Secunderabad.
5. One copy to Mr. G.V. Subba Rao, Advocate, CAT, Hyderabad.
6. One copy to Mr. V. Bhimanna, Addl. CGSC, CAT, Hyderabad.
7. One copy to D.R(J), CAT, Hyderabad.
8. One copy to Mr. ...

YLKR

SPL
12/9/97 (8)

TYPED BY _____ CHECKED BY _____
COMP. RED. BY _____ APPROVED BY _____

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RAMSARJAN : M (A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:
(M) (J)

Dated: 1-9-97

~~ORDER/JUDGEMENT~~

~~M.A./R.A/C.A.NO.~~

in

C.A.NO. 1454/95

Admitted and Interim Directions
Issued.

~~Allowed~~

Disposed of ~~with Directions~~

~~Dismissed~~

~~Dismissed as withdrawn~~

~~Dismissed for Default~~

~~Ordered/Rejected~~

No order as to costs.

YLKR

II Court

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण/DESPATCH
- 9 SEP 1997
हैदराबाद न्यायपीठ
HYDERABAD BENCH